



**122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-39015-2025

Date of decision: 19.01.2026

Narinder Singh

....Petitioner

Versus

Punjab State Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. H.P.S. Ghuman, Advocate
for the petitioner.

Ms. Shreya B. Sarin, Advocate
for the respondent-PSPCL.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing impugned speaking order dated 15.09.2025 (Annexure P-12) and further, for issuance of directions to the respondents to release the consequential benefits to the petitioner along with interest from the date 30.04.2025, the petitioner was reinstated till posting orders.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was promoted to the post of Junior Engineer (J.E.) on 01.07.2021 and was posted at Nabha as discernible from Annexures P-1 and P-2, respectively. Vide order dated 07.07.2021 (Annexure P-5), his posting was arbitrarily changed from Nabha to Sub-Urban Patiala, while his junior, namely Nirmal Kumar, was allowed to retain the original posting. The petitioner challenged the said order by filing CWP No.13021 of 2021, wherein, this Court initially stayed

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the transfer order vide order dated 16.07.2021 (Annexure P-8). The petitioner was later suspended on 03.12.2024 in connection with an FIR but was reinstated on 30.04.2025 (Annexure P-9). The petitioner joined duties on 18.10.2025. Despite reinstatement, the petitioner was not paid salary for the period from 30.04.2025 to 18.10.2025. The petitioner served a legal notice dated 04.05.2025 seeking posting and salary after reinstatement as discernible from Annexure P-10, however, the same remained unheeded compelling the petitioner to approach this Court by way of filing CWP No.18169 of 2025 titled as '*Narinder Singh Vs. Punjab State Power Corporation Limited and others*' which was disposed of by this Court vide order dated 07.07.2025 (Annexure P-11) with a direction to decide the representation of the petitioner within 08 weeks.

3. In purported compliance, the respondents passed a speaking order dated 15.09.2025 (Annexure P-12) rejecting his claim.

4. Per contra, learned counsel for the respondent-Corporation is not in a position to controvert the fact that the petitioner was reinstated on 30.04.2025 and was thereafter allowed to join duties on 18.10.2025, after he approached this Court by way of filing CWP No. 18169 of 2025. She further relies upon the instructions dated 24.03.2023, which find mention in the impugned order (Annexure P-12) and submits that when FIR is registered against a Government official for an offence involving moral turpitude, the Government official will immediately transferred to a post that involves no public dealing. In other cases, where the officer does not involve moral turpitude, the Government official will not be posted/continued in the district

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where FIR is registered. She further submits that the FIR was registered at Police Station Vigilance, District Patiala and that the petitioner's previous place of posting i.e. Nabha, falls within District Patiala. She also submits that this Court had passed an interim order in favour of the petitioner on 16.07.2021 in CWP No.13021 of 2021. The moment the said writ petition was withdrawn, the petitioner was posted.

5. Having heard learned counsel for the parties and on perusal of the records, it transpires that on 16.07.2021, the writ petition filed by the petitioner bearing CWP No.13021 of 2021 came up for hearing, wherein, this Court issued notice to the respondent-Corporation and also stayed the impugned order dated 07.07.2021 (Annexure P-5), whereby, the petitioner was posted at District Division Nabha. Thereafter, the petitioner was involved in an FIR registered by the Vigilance Bureau, Patiala and was suspended on 03.12.2024. The petitioner was reinstated in service on 30.04.2025 as discernible from Annexure P-9. The petitioner was willing to join duties, however, on an incorrect interpretation of this Court's order, he was not permitted to do so and was issued posting orders only on 18.10.2025. As such, the petitioner is entitled to salary for the period from 30.04.2025 to 18.10.2025. Even the instructions dated 24.03.2023, relied upon by learned counsel for the respondent-Corporation, provide that when an FIR is registered against a Government official for an offence involving moral turpitude, the Government official shall be immediately transferred to a post involving no public dealing. As such, the operation of the impugned order dated 07.07.2021, stayed by this Court in CWP No. 13021 of 2021 vide order dated 16.07.2021, would not have come in the way of the respondent-

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Corporation in transferring the petitioner on account of the registration of the FIR, in terms of the said instructions.

6. Keeping in view the facts and circumstances of the case, the present petition is allowed and the respondent-Corporation is directed to release the salary of the petitioner from 30.04.2025 to 18.10.2025 within a period of four weeks from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

19.01.2026*Neha*

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No